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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 CHRISTOPHER D. MACK,

11 Petitioner,

12 vs.

13 WARDEN DWIGHT NEVEN, *et al.*,

14 Respondents.
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Case No. 2:15-cv-01728-RFB-GWF

ORDER

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17 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254
18 by a Nevada state prisoner.

19 Petitioner has filed a motion to proceed *in forma pauperis*. (ECF No. 1). Based on the
20 information regarding petitioner's financial status, the Court finds that the motion to proceed *in forma*
21 *pauperis* should be granted. The petition shall now be filed and served on respondents.

22 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (ECF No.
23 1) is **GRANTED**.

24 **IT IS FURTHER ORDERED** that the Clerk shall **FILE and ELECTRONICALLY SERVE**
25 the petition (ECF No. 1-1) upon the respondents. The Clerk of Court **SHALL ADD** Nevada Attorney
26 General Adam Paul Laxalt to the CM/ECF docket sheet as counsel for respondents.

27 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from the entry
28 of this order within which to answer, or otherwise respond to, the petition. In their answer or other

1 response, respondents shall address all claims presented in the petition. Respondents shall raise all
2 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and
3 procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed,
4 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in the
5 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have **forty-**
6 **five (45) days** from the date of service of the answer to file a reply.

7 **IT IS FURTHER ORDERED** that any state court record exhibits filed by respondents shall
8 be filed with a separate index of exhibits identifying the exhibits by number or letter. The hard copy
9 of all state court record exhibits shall be forwarded, for this case, to the staff attorneys in the **Reno**
10 Division of the Clerk of Court.

11 Dated this 8th day of February, 2017.

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16 RICHARD F. BOULWARE, II
17 UNITED STATES DISTRICT JUDGE
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